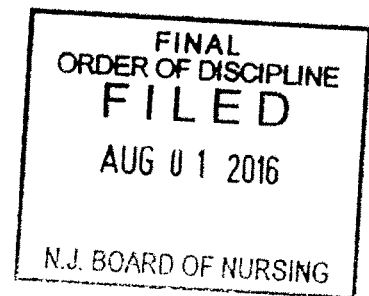


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STATE OF NEW JERSEY  
DEPARTMENT OF LAW & PUBLIC SAFETY  
DIVISION OF CONSUMER AFFAIRS  
BOARD OF NURSING

IN THE MATTER OF THE LICENSE OF	:	Administrative Action
	:	
	:	
SUSAN CARLO, LPN	:	
License 26NP05237700	:	FINAL ORDER
	:	OF DISCIPLINE
	:	
TO PRACTICE NURSING IN THE	:	
STATE OF NEW JERSEY	:	

This matter was opened to the New Jersey State Board of Nursing ("Board") upon receipt of information which the Board has reviewed and upon which the following findings of fact and conclusions of law are made:

FINDINGS OF FACT

1. Susan Carlo ("Respondent") is a Licensed Practical Nurse in the State of New Jersey and has been a licensee at all times relevant hereto.

2. On or about April 13, 2013, Respondent completed and submitted an online biennial renewal application. Respondent

was asked on the biennial renewal application whether Respondent would have "completed the required continuing education credits by May 31, 2013" referring to the biennial renewal period of June 1, 2011 to May 31, 2013. Respondent answered "Yes" and certified that answer by submitting the online application.

3. Upon receipt of a notice indicating that Respondent was arrested on January 16, 2014 by members of the East Windsor Police Department and charged with violating N.J.S.A. 2C:33-4(b) (Harassment), the Board sent a letter of inquiry requesting information and documentation regarding the criminal case, Respondent's nursing practice, and continuing education to Respondent's address in Cranbury, New Jersey via regular and certified mail on January 29, 2014. The regular mail was not returned. The certified mail was returned as "unclaimed."

4. Respondent provided a brief reply indicating that the court date had been changed and she would send more information when she obtained it.

5. The Board received no further reply.

6. On or about April 26, 2015, Respondent completed and submitted an online biennial renewal application. Respondent was asked on the biennial renewal application whether Respondent would have "completed the required continuing education credits by May 31, 2015" referring to the biennial renewal period of

June 1, 2013 to May 31, 2015. Respondent answered "Yes" and certified that answer by submitting the online application.

#### CONCLUSIONS OF LAW

Respondent's failure to fully respond to the Board's request for information constitutes a failure to cooperate with a Board investigation, in contravention of N.J.A.C. 13:45C-1.2 and 1.3, which the Board deems professional misconduct pursuant to N.J.S.A. 45:1-21(e) and also subjects Respondent to disciplinary action pursuant to N.J.S.A. 45:1-21(h).

Pursuant to N.J.A.C. 13:37-5.3(b), nurses are required to complete a minimum of thirty (30) hours of continuing education during the preceding biennial period in order to renew their licenses. Pursuant to N.J.A.C. 13:37-5.3(f), nurses are required to maintain documentation of completion of continuing education for a period of four years after completion, and shall submit such documentation to the Board upon request.

Respondent failed to demonstrate, to the satisfaction of the Board, that she completed the continuing education credits required for renewal during the biennial period of June 1, 2011 to May 31, 2013. The Board therefore finds Respondent in violation of N.J.A.C. 13:37-5.3(b) and 13:37-5.3(f), which in

turn subjects Respondent to sanctions pursuant to N.J.S.A. 45:1-21(e) and (h).

Respondent's use of misrepresentation during the license renewal process regarding her continuing education information constitutes a violation of N.J.S.A. 45:1-21(b), subjecting Respondent to sanctions.

### DISCUSSION

The Board filed a Provisional Order of Discipline (POD) on March 7, 2016 based upon Respondent's failure to cooperate with a Board investigation about her arrest on charges of Harassment and her failure to complete required continuing education. The POD provisionally suspended Respondent's certification, imposed a reprimand for misrepresenting her continuing education information on her license renewal application, and imposed a \$750.00 penalty, consisting of a \$500.00 penalty for failing to cooperate with a Board investigation and \$250.00 for failing to timely complete continuing education

Respondent replied to the POD. Regarding her arrest, Respondent provided the police report and a disposition showing her case was dismissed. Respondent also provided the names of her current and previous employers and a copy of her progress report. Regarding continuing education, Respondent provided

proof that, in April 2016 she completed continuing education to cure the deficiency of the 2011-2013 and 2013-2015 periods. She also provided proof of completion of 34.5 hours for the current biennial period.

The Board determined that Respondent substantially complied with the POD and therefore the suspension of her license was not appropriate. The Board determined to maintain the \$750.00 penalty since Respondent failed to respond to the Board's letter of inquiry and to timely complete continuing education.

The Board further determined that a reprimand is warranted because Respondent misrepresented her continuing education during the license renewal process.

ACCORDINGLY, IT IS on this 18 day of August, 2016,  
ORDERED that:

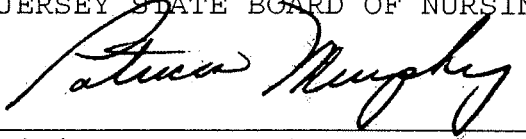
1. A reprimand is imposed on Respondent for misrepresenting the continuing education information on her license renewal application.

2. Respondent is assessed a civil penalty in the amount of seven hundred and fifty dollars (\$750.00). Said penalty is an aggregate penalty, which includes a penalty in the amount of five hundred dollars (\$500.00) for failure to cooperate with a Board investigation and a penalty in the amount of two hundred and fifty dollars (\$250.00) for failing to timely complete

required continuing education. Payment shall be made by certified check, bank cashier check, or money order payable to "State of New Jersey," or by wire transfer, direct deposit, or credit card payment delivered or mailed to: State Board of Nursing, Attention: Leslie Burgos, 124 Halsey Street, Sixth Floor, P.O. Box 45010, Newark, New Jersey 07101. Any other form of payment will be rejected and will be returned to the party making the payment. Payment shall be made no later than fifteen (15) days after service of a filed **Final Order of Discipline**. In the event Respondent fails to make a timely payment, a certificate of debt shall be filed in accordance with N.J.S.A. 45:1-24 and the Board may bring such other proceedings as authorized by law.

NEW JERSEY STATE BOARD OF NURSING

By: \_\_\_\_\_

  
Patricia Murphy, PhD, APN  
Board President